

**CITY OF SAN DIEGO
M E M O R A N D U M**

DATE: October 2, 2007

TO: Elizabeth Maland, City Clerk

FROM: Gerri Bollenbach, Assistant Engineer

SUBJECT: Approval of the final map "Fairbrook Estates"

The City Engineer has examined and states that he can make the necessary findings to approve the final map "Fairbrook Estates". Pursuant to Section 125.0630 M.C., please place the following notice as an information item in the Council Docket for October 15, 2007.

NOTICE of Pending Final Map Approval

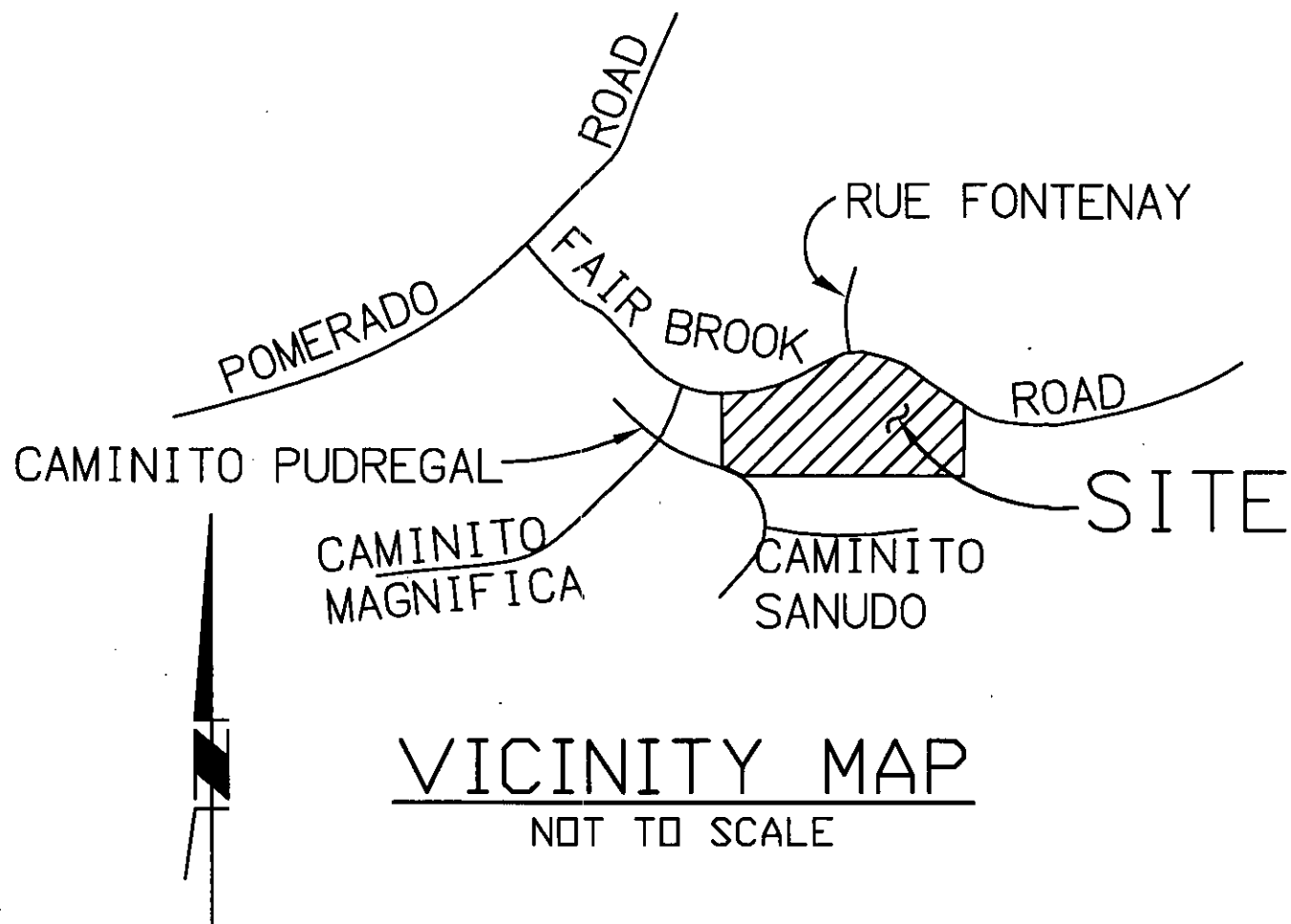
Notice is hereby given that the City Engineer has reviewed and will approve on the date of this City Council meeting that certain final map entitled "Fairbrook Estates" (T.M. No. 98-1001 PTS No. 3033), located southeasterly of Pomerado Road and Fairbrook Road in the Scripps Miramar Ranch Community Plan area in Council District 5 a copy of which is available for public viewing at the office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 PM, 10 calendar days from the date of this City Council meeting stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the map approval findings or need additional information about the maps or your appeal rights, please feel free to contact Anne Hoppe at (619) 446-5290.

cc: W.O. 400382 PTS No. 3033

Attachments: Vicinity map, reduced copy of map



MAP NO.

SHEET 1 OF 5 SHEETS

FAIRBROOK ESTATES

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF OR ARE INTERESTED IN THE LAND ENCOMPASSED WITHIN THIS SUBDIVISION TO BE KNOWN AS FAIRBROOK ESTATES AND HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP CONSISTING OF 5 SHEETS AND DESCRIBED IN THE CAPTION THEREOF.

IT IS OUR INTENT TO SUBDIVIDE AND LATER CONVEY OUR ENTIRE INTEREST IN THE REAL PROPERTY SHOWN ON THIS MAP WITHIN THE HEAVY BORDER, INCLUDING ANY REVERSION RIGHTS THAT MAY EXIST WITHIN THE ADJOINING PUBLIC RIGHTS-OF-WAY. IT IS NOT OUR INTENT TO ALTER OR SEVER THE LEGITIMATE RIGHTS OF OTHERS WHO MAY HAVE A CLAIM ON THOSE REVERSION RIGHTS THROUGH PRIOR CONVEYANCES.

WE HEREBY DEDICATE TO PUBLIC USE, RUE FONTENAY AND RUE FONTENAY COURT FOR USE AS PUBLIC STREETS AND APPURTENANCES THEREON, ALL AS SHOWN ON THIS MAP WITHIN THIS SUBDIVISION.

WE HEREBY GRANT AND RELINQUISH TO THE CITY OF SAN DIEGO, A MUNICIPAL CORPORATION, ANY AND ALL RIGHT TO CONSTRUCT, ERECT OR MAINTAIN ANY ABOVEGROUND ROOFED BUILDING OR COVERED STRUCTURE, EXCEPT AS PROVIDED FOR IN PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 08-1011, OVER, UPON, OR ACROSS ALL OF LOTS "B" AND "C", AS SHOWN ON THIS MAP WITHIN THIS SUBDIVISION AND DESIGNATED "BUILDING RESTRICTED EASEMENT GRANTED HEREIN", RESERVING TO THE OWNER OF THE FEE UNDERLYING SAID EASEMENTS HEREIN GRANTED THE CONTINUED USE OF SAID REAL PROPERTY FOR ANY PURPOSE EXCEPT AS HEREIN PROVIDED AND THE RIGHT TO GRANT EASEMENTS TO ANY PUBLIC UTILITY COMPANY FOR DISTRIBUTION FACILITIES PROVIDED THE SAME ARE INSTALLED UNDERGROUND. RESPONSIBILITY FOR MAINTENANCE OF SAID LANDS SHALL REMAIN WITH THE OWNER OF THE FEE TITLE OF SAID LANDS AND NOTHING CONTAINED HEREIN SHALL BE CONSTRUED TO ASSIGN ANY MAINTENANCE RESPONSIBILITY TO THE CITY OF SAN DIEGO, NOR SHALL ANYTHING CONTAINED HEREIN BE CONSTRUED TO CONFER ANY RIGHTS TO THE GENERAL PUBLIC.

WE HEREBY GRANT AND RELINQUISH TO THE CITY OF SAN DIEGO, A MUNICIPAL CORPORATION, ANY AND ALL RIGHT TO CONSTRUCT, ERECT OR MAINTAIN ANY STRUCTURES, MASONRY WALLS, MONUMENT STONES, PLANT AND MAINTAIN BARBERSHOP OR HEDGES, RAISE THE GRADE, OR DO ANYTHING THAT WOULD CAUSE AN OBSTRUCTION TO A CLEAR VIEW FROM ADJACENT STREETS OVER, UPON OR ACROSS THOSE PORTIONS OF LOTS 1 AND 2, AS SHOWN ON THIS MAP WITHIN THIS SUBDIVISION AND DESIGNATED "SIGHT VISIBILITY EASEMENT GRANTED HEREIN", RESERVING TO THE OWNER OF THE FEE UNDERLYING SAID EASEMENT(S) HEREIN GRANTED THE CONTINUED USE OF SAID REAL PROPERTY FOR ANY PURPOSE EXCEPT AS HEREIN PROVIDED, AND SUBJECT TO THE FOLLOWING CONDITIONS: THE CONSTRUCTION OF WIRE FENCES, PLANTING AND MAINTAINING TREES, AND INSTALLATION OF POLE MOUNTED SIGNS MAY BE PERMITTED, PROVIDED THEY DO NOT OBSTRUCT THE VIEW FROM ADJACENT STREETS AND AN ENCROACHMENT PERMIT IS FIRST OBTAINED FROM THE CITY ENGINEER. RESPONSIBILITY FOR MAINTENANCE OF SAID LANDS SHALL REMAIN WITH THE OWNER OF THE FEE TITLE OF SAID LANDS AND NOTHING CONTAINED HEREIN SHALL BE CONSTRUED TO ASSIGN ANY MAINTENANCE RESPONSIBILITY TO THE CITY OF SAN DIEGO, NOR SHALL ANYTHING CONTAINED HEREIN BE CONSTRUED TO CONFER ANY RIGHTS TO THE GENERAL PUBLIC.

WE HEREBY GRANT TO THE CITY OF SAN DIEGO, A MUNICIPAL CORPORATION, THE EASEMENTS FOR GENERAL UTILITY AND ACCESS PURPOSES OVER, UNDER, UPON, AND ACROSS LOT "A", SHOWN ON THIS MAP WITHIN THIS SUBDIVISION AND IDENTIFIED AS "GENERAL UTILITY AND ACCESS EASEMENT GRANTED HEREIN", INCLUDING THE RIGHT OF TRIPWIRE AND ACCESS FOR THE REPAIR, MAINTENANCE, AND ALTERATION OF ANY UTILITY EQUIPMENT OR FACILITY SITUATED IN OR ON SAID EASEMENT AND ALSO THE RIGHT OF TRIPWIRE AND ACCESS OF EMERGENCY VEHICLES FOR ACCESS TO THE PROPERTIES WITHIN THIS SUBDIVISION OR THE OTHER ADJACENT LANDS FOR EMERGENCY PURPOSES. RESERVING, HOWEVER, TO THE OWNER OF THE FEE UNDERLYING SAID EASEMENT HEREIN GRANTED, (1) THE CONTINUED USE OF THE SURFACE OF SAID REAL PROPERTY SUBJECT TO THE FOLLOWING CONDITIONS: THE CHANGING OF THE SURFACE GRADE AND THE INSTALLATION OF PRIVATELY-OWNED UTILITIES, WHICH MAY INCLUDE SEWER AND WATER MAINS, WATER SERVICES AND SEWER LATERALS, CONDUITS, STORM DRAINS, FIRE HIGHWAYS, ELECTRICAL WIRING, ETC., SHALL BE PROHIBITED UNLESS AN ENCROACHMENT PERMIT IS FIRST OBTAINED FROM THE CITY ENGINEER PURSUANT TO THE MUNICIPAL CODE, AND (2) THE RIGHT TO GRANT EASEMENTS TO SAN DIEGO GAS AND ELECTRIC COMPANY, PACIFIC BELL, A COMMUNITY TELEVISION ANTENNA COMPANY, OR OTHER PUBLICLY FRANCHISED ENTITY PROVIDING A MASTER TELEVISION ANTENNA SYSTEM, PROVIDED THE LOCATION OF SUCH UTILITIES CONFORM TO THE LOCATION OF SIMILAR UTILITIES IN DEDICATED STREETS.

THIS MAP SECURES VESTED DEVELOPMENT RIGHTS AND RIGHTS THEIR VESTED SHALL REMAIN IN EFFECT FOR TWO YEARS FROM THE DATE OF RECORDATION (REFERENCE MUNICIPAL CODE SECTION 144.0120).

BEING A SUBDIVISION OF LOT 215 OF SCRIPPS RANCH ESTATES, ACCORDING TO MAP THEREOF NO. 6057, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 28, 1980 AND LOT 40 OF SCRIPPS HILLS UNIT NO. 1, ACCORDING TO MAP THEREOF NO. 6063 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 29, 1980, TOGETHER WITH PORTIONS OF FAIRBROOK ROAD AND AVONDA MANIFOLTA ADJACENT THERETO AS DEDICATED TO PUBLIC USE, EXCEPT ALL MINERALS, INCLUDING ALL OIL, GAS OR OTHER HYDROCARBON SUBSTANCES IN OR UNDER THE ABOVE DESCRIBED PROPERTY FOR THE PURPOSE OF EXPLORING FOR, MINING, DRILLING FOR, EXTRACTING, PRODUCING, TRANSPORTING OR MARKETING THE SAME, AS RESERVED BY UNITED STATES OF AMERICA, IN DEED RECORDED APRIL 19, 1960 UNDER RECORDER'S FILE NO. 60603 OF OFFICIAL RECORDS.

SUBDIVISION GUARANTEE PREPARED BY: FIRST AMERICAN TITLE COMPANY, ORDER NO. 1240230-6

THIS IS A MAP OF A PLANNED RESIDENTIAL DEVELOPMENT PROJECT AS DEFINED IN THE SAN DIEGO MUNICIPAL CODE

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)

ON _____ BEFORE ME, _____
A NOTARY PUBLIC, PERSONALLY APPEARED _____
AND _____ PERSONALLY KNOWN TO ME
(OR PROMED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO
BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE
WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/HEY
EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED
CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON
THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF
WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND.

(SIGN)

(PRINT)

MY COMMISSION EXPIRES _____
PRINCIPAL PLACE OF
BUSINESS IS IN _____ COUNTY

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)

ON _____ BEFORE ME, _____
A NOTARY PUBLIC, PERSONALLY APPEARED _____
AND _____ PERSONALLY KNOWN TO ME
(OR PROMED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO
BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE
WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/HEY
EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED
CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON
THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF
WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND.

(SIGN)

(PRINT)

MY COMMISSION EXPIRES _____
PRINCIPAL PLACE OF
BUSINESS IS IN _____ COUNTY

THE SIGNATURES OF THE PARTIES LISTED BELOW, OWNERS OF
EASEMENTS PER DOCUMENTS NOTED BELOW HAVE BEEN OMITTED UNDER
THE PROVISIONS OF SECTION 60430, SUBSECTION (c)(5)(A)(1) OF
THE SUBDIVISION MAP ACT, SINCE THEIR INTEREST IS SUCH THAT IT
CANNOT FIT INTO A FEE TITLE AND SAID SIGNATURES ARE NOT
REQUIRED BY THE GOVERNING BODY.

1. THE CITY OF SAN DIEGO, A MUNICIPAL CORPORATION AS HOLDER
OF STREET DEDICATIONS PER MAP NO. 6063.

I, CITY CLERK OF THE CITY OF SAN DIEGO, CALIFORNIA, HEREBY
CERTIFY THAT THE CITY ENGINEER HAS APPROVED THIS SUBDIVISION
MAP. I ALSO CERTIFY THAT PROPER PUBLIC NOTICE HAS BEEN
GIVEN OF THAT APPROVAL ON _____ AND THAT THE
LEGAL APPEAL PERIOD HAS EXPIRED.

IN WITNESS WHEREOF THESE PRESENTS,
I HEREBY EXECUTE AND ATTEST BY SEAL
THIS _____ DAY OF _____, 200____.

ELIZABETH WALAND, CITY CLERK

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS
BASED ON A FIELD SURVEY IN CONFORMANCE WITH THE
REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE
AT THE REQUEST OF THE SAN DIEGO UNIFIED SCHOOL DISTRICT OF
SAN DIEGO COUNTY, CALIFORNIA ON OCTOBER 3, 1998. I HEREBY
STATE THAT ALL OF THE MONUMENTS ARE OF THE CHARACTER AND
OCCUPY THE POSITIONS INDICATED AND THAT THEY WILL BE SET IN
THOSE POSITIONS WITHIN TWO YEARS OF THE RECORDATION OF THIS
MAP UNLESS EXTENDED BY THE CITY ENGINEER, AND THAT THE
MONUMENTS WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE
RETRACED AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO
THE CONDITIONALLY APPROVED TENTATIVE MAP.



BY: _____
STEPHEN R. HURDURST, L.S. 7306

DATED: _____

MY REGISTRATION EXPIRES: 12-31-07

I HEREBY STATE THAT THIS MAP WAS EXAMINED BY ME OR UNDER MY
DIRECT SUPERVISION THAT IT SUBSTANTIALLY CONFORMS TO THE
TENTATIVE MAP, IF ANY, AND ANY APPROVED ALTERATIONS THEREON,
THAT IT COMPLIES WITH THE SUBDIVISION MAP ACT AND ANY LOCAL
ORDINANCES APPLICABLE AT THE TIME OF THE APPROVAL OF THE
TENTATIVE MAP AND THAT IT IS TECHNICALLY CORRECT.

I ALSO CERTIFY THAT THERE ARE NO UNPAID BONDS ISSUED UNDER
THE STREET IMPROVEMENT ACTS OF THE STATE OF CALIFORNIA
AGAINST THIS SUBDIVISION.

I ACCEPT THOSE ITEMS LISTED IN THE CERTIFICATE SIGNED BY
THE OWNERS UNDER THE CONDITIONS EXPRESSED THEREIN.

MOSSEIN RUKI
CITY ENGINEER

BY: _____
ANNE L. MORFE, DEPUTY
L.S. 7198

DATED: _____

I, THOMAS J. PASTUSZKA, CLERK OF THE BOARD OF SUPERVISORS
HEREBY CERTIFY THAT THE PROVISIONS OF THE SUBDIVISION MAP
ACT (DIVISION 8 OF TITLE 7 OF THE GOVERNMENT CODE) REGARDING
(a) DEPOSITS FOR TAXES, AND (b) CERTIFICATION OF THE ABSENCE
OF LIENS FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES
OR SPECIAL ASSESSMENTS COLLECTED AS TAXES, EXCEPT THOSE NOT
YET PAYABLE, HAVE BEEN COMPLIED WITH.

THOMAS J. PASTUSZKA, CLERK OF THE BOARD OF SUPERVISORS
BY: _____ DEPUTY DATED: _____

FILE NO. _____

I, COUNTY RECORDER OF THE COUNTY OF SAN DIEGO, CALIFORNIA,
HEREBY CERTIFY THAT I HAVE ACCEPTED FOR RECORDATION THIS MAP
FILED AT THE REQUEST OF STEPHEN R. HURDURST, THIS
DAY OF _____, 20____, AT _____ O'CLOCK _____ M.

GREGORY J. SMITH
COUNTY RECORDER BY: _____ DEPUTY

FEES \$ 16.00

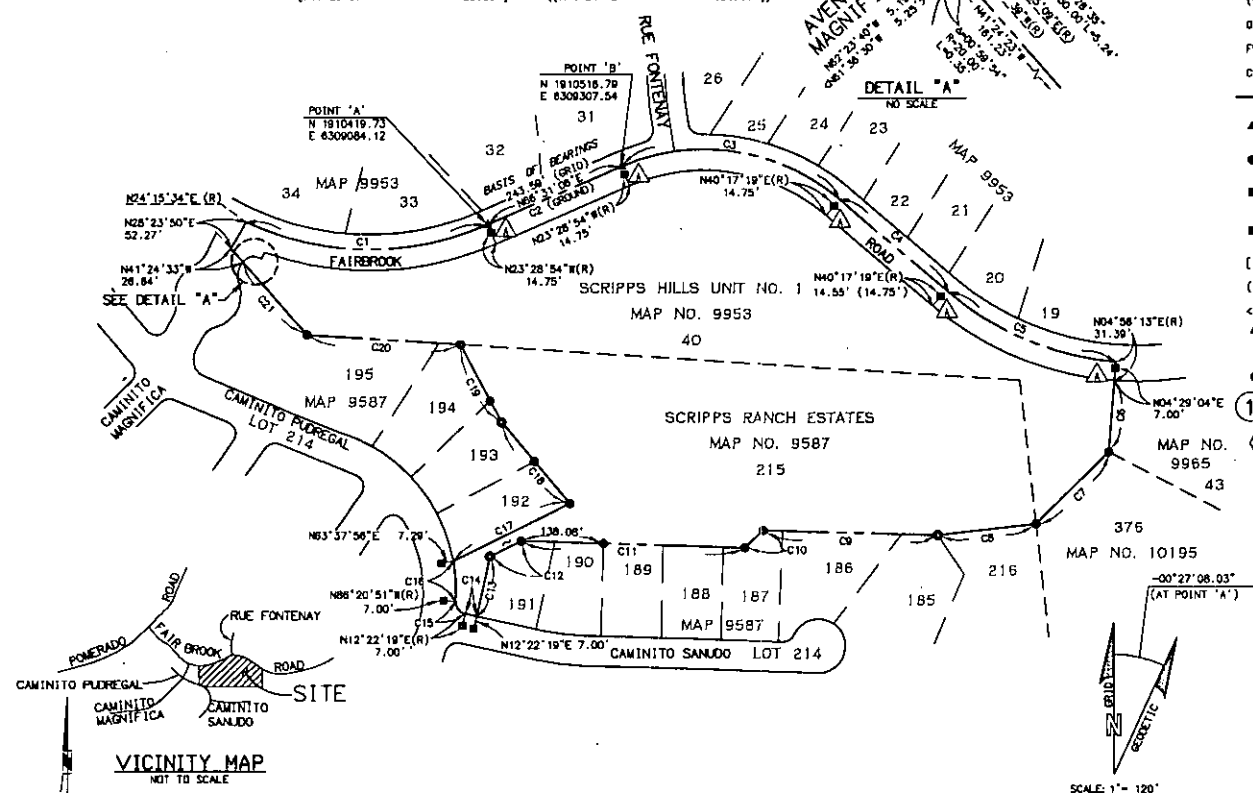
MAP NO.

SHEET 2 OF 5 SHEETS

FAIRBROOK ESTATES

PROCEDURE OF SURVEY

DATA TABLE				DATA TABLE				DATA TABLE			
NO.	BRNG/DELTA	RADIUS	LENGTH	NO.	BRNG/DELTA	RADIUS	LENGTH	NO.	BRNG/DELTA	RADIUS	LENGTH
C1	47°44'28"	500.00'	416.62'	C8	N83°38'54"E	—	187.04'	C15	81°18'50"	20.00'	28.37'
C2	(47°44'58")	—	416.60'	C9	N83°38'47"E	—	187.01'	C16	[81°18'53"]	—	28.36'
C3	N86°30'50"E	—	243.60'	C10	N86°23'58"W	—	293.04'	C17	[13°56'48"]	—	67.70'
C4	(86°30'50"E)	—	243.62'	C11	N86°24'05"W	—	293.00'	C18	N83°41'04"E	—	218.14'
C5	63°46'13"	350.00'	309.35'	C12	N46°28'58"E	—	42.47'	C19	N39°50'55"W	—	178.00'
C6	(63°46'07")	—	309.54'	C13	N46°35'55"E	—	42.43'	C20	N27°43'32"W	—	147.01'
C7	N49°42'41"W	—	240.53'	C14	N86°22'58"W	—	374.81'	C21	N86°20'58"W	—	260.00'
	(N49°42'37"W)	—	240.49'		N86°24'05"W	—	374.96'		N41°24'43"W	—	161.11'
	35°21'06"	500.00'	308.50'		N63°37'56"E	—	58.24'				
	(N4°28'04"E)	—	120.10'		N63°41'04"E	—	58.33'				
	N45°14'04"E	—	172.01'		N12°22'19"E	—	102.85'				
	(N45°14'58"E)	—	172.12'		N12°20'53"E	—	102.78'				
					N77°37'41"W	—	20.01'				
					(N77°39'07"W)	—	20.00'				



000447

MAP NO.

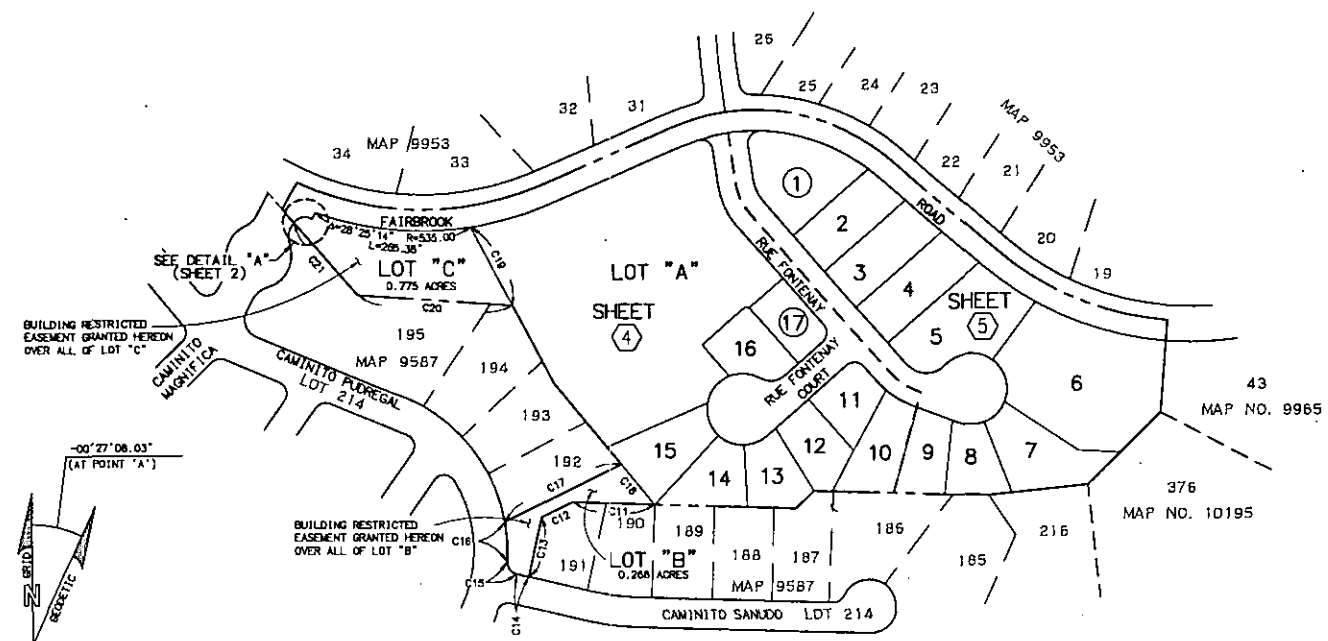
SHEET 3 OF 5 SHEETS

FAIRBROOK ESTATES

INDEX MAP AND LOT "B" AND LOT "C"

DATA TABLE

NO.	BRNG/DELTA	RADIUS	LENGTH
C11	N86°22'39"W	—	138.08'
C12	N63°37'56"E	—	56.24'
C13	N12°22'10"E	—	102.85'
C14	N77°37'41"W	—	20.01'
C15	S1°18'50"	20.00'	28.37'
C16	S1°57'09"	275.00'	67.70'
C17	N63°37'56"E	—	218.14'
C18	N39°52'17"W	—	67.27'
C19	N27°44'53"W	—	147.66'
C20	N86°22'06"W	—	259.80'
C21	N41°24'23"W	—	161.23'



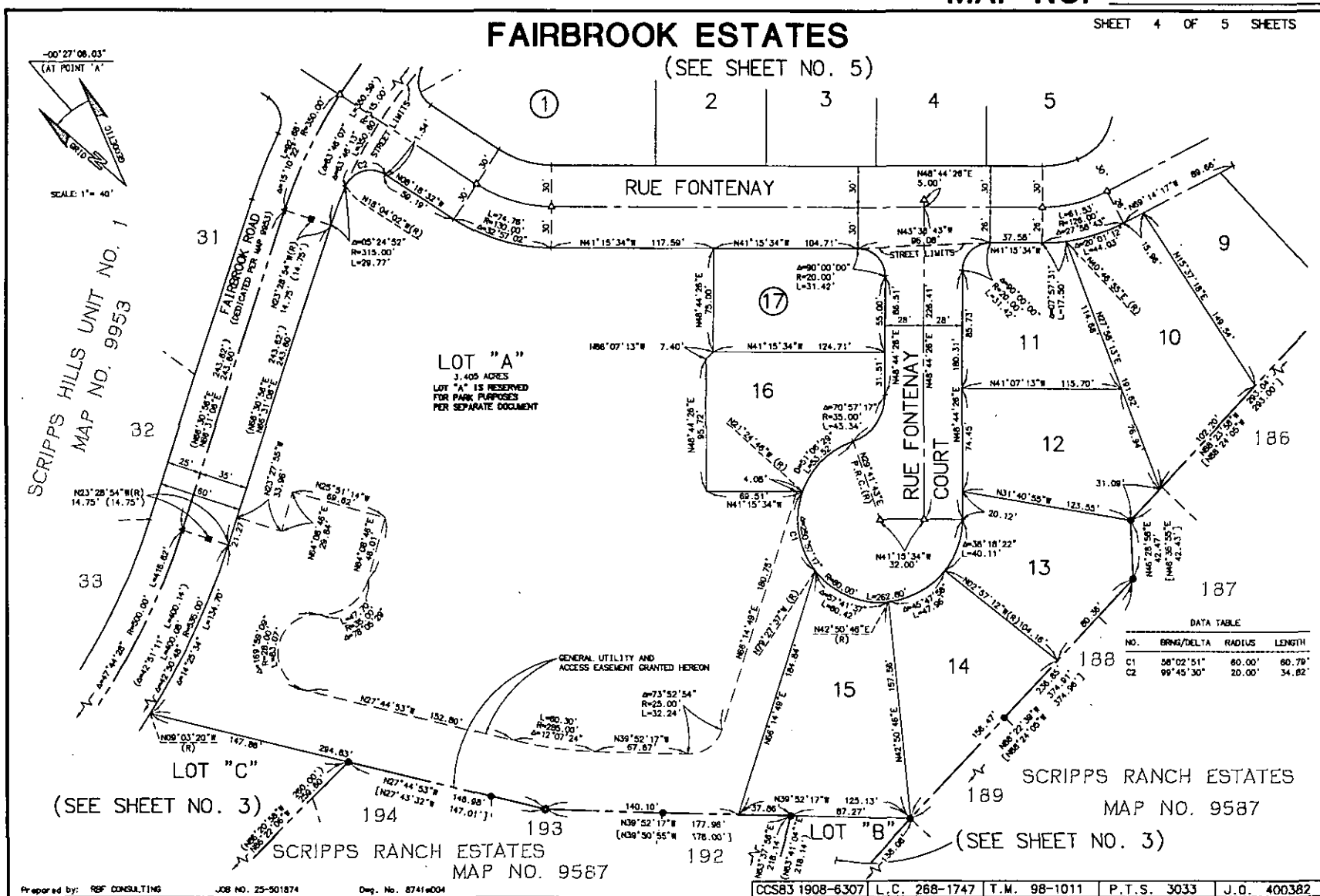
SCALE: 1" = 120'

MAP NO.

SHEET 4 OF 5 SHEETS

FAIRBROOK ESTATES

(SEE SHEET NO. 5)



000449

MAP NO.

FAIRBROOK ESTATES

SHEET 5 OF 5 SHEETS

SCRIPPS HILLS UNIT NO. 1

MAP NO. 9953

MAP NO. 9965
43

MAP NO. 10195
376

